



**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil



Public Notice

APPLICATION NO.:	MVK-ASJ-2005-938
EVALUATOR:	A. Susan Jarvis
PHONE NO.:	(601) 631-5146
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	December 14, 2005
EXPIRATION DATE:	January 4, 2006

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Mississippi Department of Environmental Quality, Office of Environmental Services are considering an application for a Department of the Army permit and State water quality certification for the work described herein. A water quality certification is required in accordance with statutory authority contained in the LRS 30:2074 A(3) and provisions of the Clean Water Act. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F, at the above address and the and the Mississippi Department of Environmental Quality at Post Office Box 10385, Jackson, MS 39289-0385, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:
Tombigbee River Valley Water Management District
Post Office Box 616
Tupelo, Mississippi 38802

Location of Work: Section 18,19,29,30, and 32, T13S-R2E, latitude 33°55'16", longitude 89°06'55", within the Yalobusha River Basin, Chickasaw County, Mississippi.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to mechanically clear vegetation and remove debris from Licks Creek. The material would be placed on wetlands adjacent to the creek. The purpose of the project would be to improve drainage, and prevent flooding of agricultural fields and additional loss of valuable farm land.

Licks Creek has been previously cleaned out, but has since been partially blocked by woody debris and vegetation. The material would be removed using machinery placed on one bank of the creek. Work would occur only on one side of the creek. A bulldozer would clear, only as needed, a travel way for the excavator to work in the streambed to remove the debris. Large trees and growth on the top bank would be left where practical. The woody debris and vegetation would be stacked on one side of the creek in an area not over 20 feet wide. The stacks would be spaced so as not to impede drainage from the surrounding land. Licks Creek averages 5 to 10 feet deep and 10 to 15 feet wide. The length of Licks Creek to be cleaned out would be 21,753 feet. The material to be removed would be primarily woody debris and vegetation, with minimal incidental silt and sand anticipated. The applicant would be returning Licks Creek to it's original depth and width. The project site (Licks Creek and adjacent wetlands) encompass approximately 10.5 acres of wetlands and other waters of the United States.

The placement of dredged and/or fill material in wetlands associated with construction of the project requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Chickasaw County listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic

Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

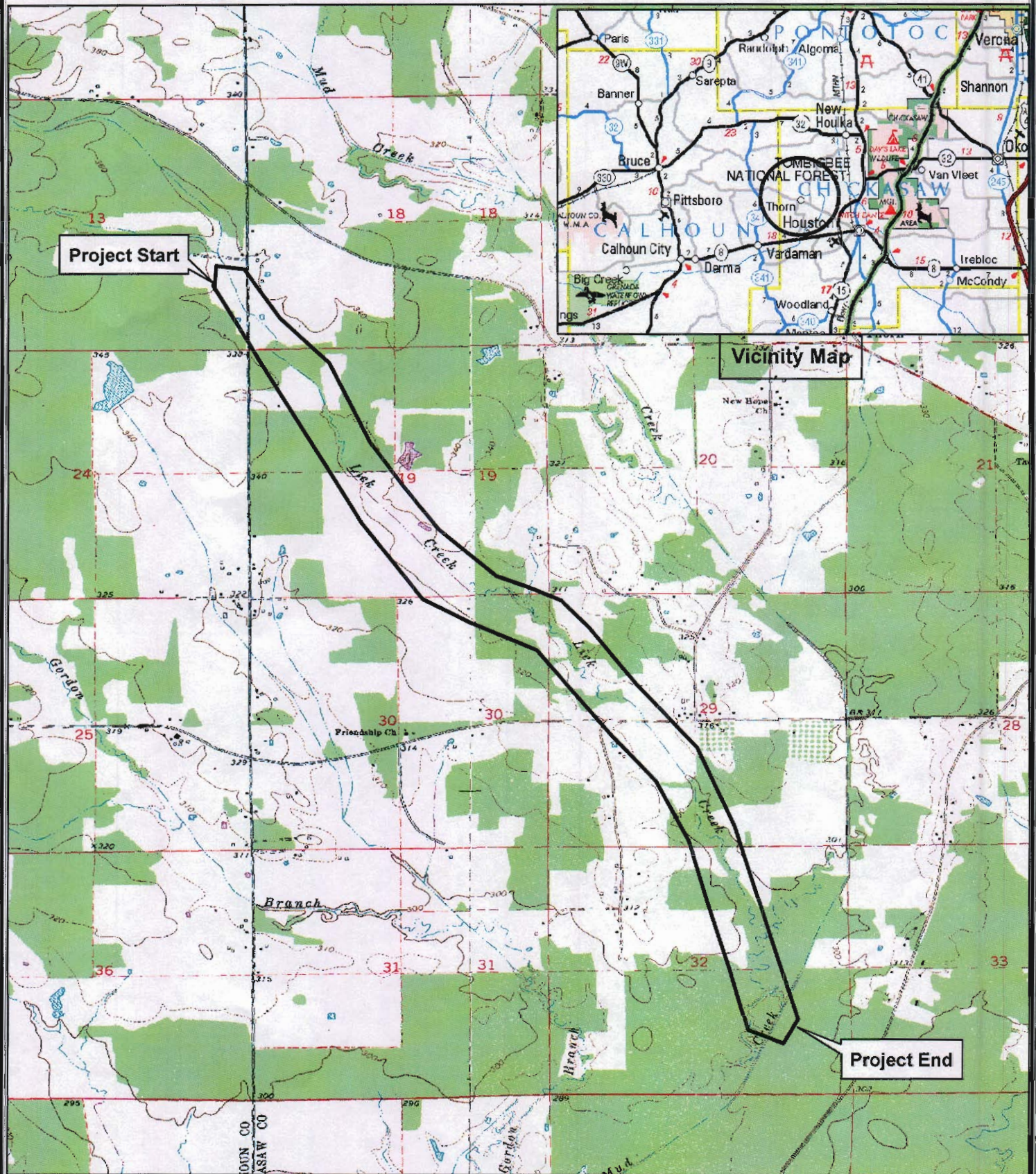
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

W. Harold Lee
Team Leader
Evaluation Section

CLEAN OUT OF LICKS CREEK



Vardaman & Houston West Quads

1:34,000

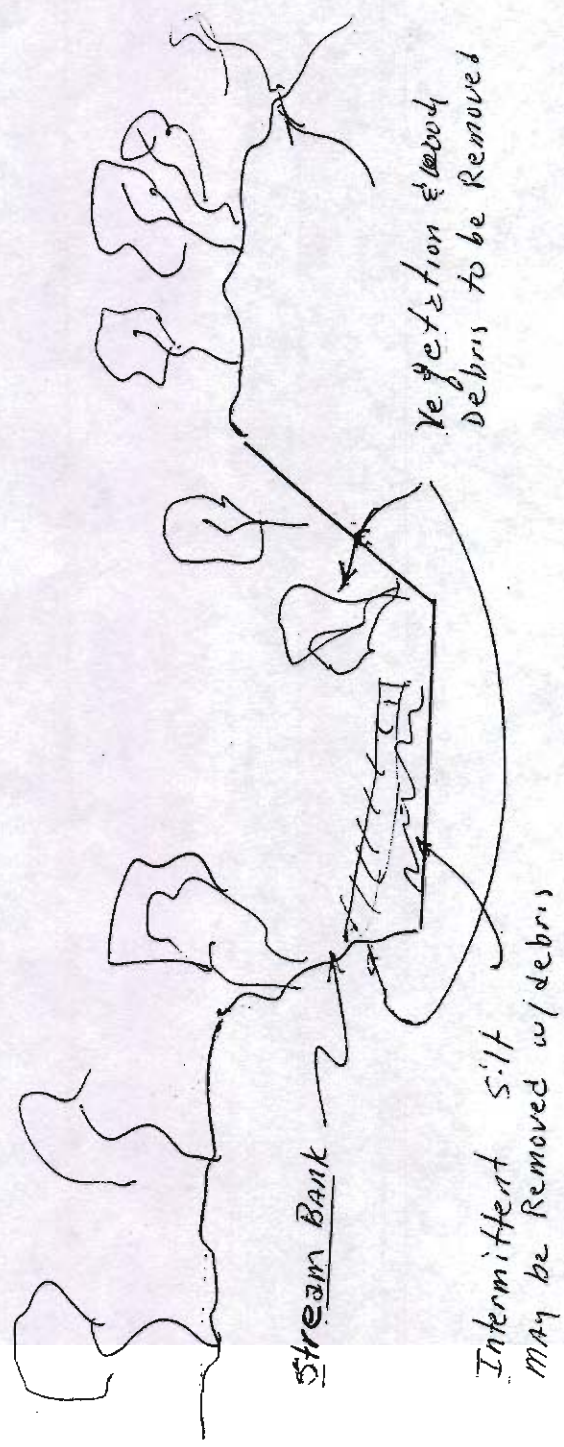
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CEMVK-OD-FE ASJ-MVK-2005-938

TOMBIGBEE RIVER VALLEY WATER
MANAGEMENT DISTRICT

CLEAN OUT OF LICKS CREEK



Typical Section